

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

ContentGuard Holdings, Inc.,

Plaintiff,

v.

Amazon.com, Inc., *et al.*

Defendants.

Civil Action No. 2:13-cv-1112-JRG

JURY TRIAL DEMANDED

**NOTICE OF COMPLIANCE WITH THIRD-PARTY PRODUCTION PROVISIONS BY
DEFENDANT APPLE INC.**

Pursuant to Paragraph 12 of the Amended Protective Order Regarding the Disclosure and Use of Discovery Materials (Dkt. No. 152), Defendant Apple, Inc. hereby submits this notice that it has produced third-party confidential information in compliance with the Amended Protective Order as follows:

1. **Blue Legend LLC:** Apple, Inc. notified Blue Legend LLC (“Blue Legend”) of its intent to produce Blue Legend confidential information via Federal Express overnight delivery by letter dated August 22, 2014, with the Amended Protective Order attached and a copy of the confidential information Apple Inc. intended to disclose. The Federal Express envelope was delivered on August 25, 2014. Due to a clerical error, the Amended Protective Order originally sent contained only odd pages. A second Federal Express envelope was sent to Blue Legend via overnight delivery on August 28, 2014 containing a complete copy of the Amended Protective Order; that envelope was delivered on August 29, 2014. Apple has not received a response.

2. **Cloakworks, Inc. and David Wallace:** Apple, Inc. notified David Wallace and Cloakworks, Inc. (together “Cloakworks”) of its intent to produce Cloakworks confidential information via Federal Express overnight delivery by letter dated August 22, 2014, with the Amended Protective Order attached and a copy of the confidential information Apple Inc. intended to disclose. The Federal Express envelope was delivered to Cloakworks on August 26, 2014. Due to a clerical error, the Amended Protective Order originally enclosed contained only odd pages. A second Federal Express envelope was sent to Cloakworks via overnight on August 28, 2014 containing a complete copy of the Amended Protective Order; that envelope was delivered on August 29, 2014. Apple has not received a response.
3. **Intertrust Technologies Corporation:** Apple, Inc. notified Intertrust Technologies Corporation (“Intertrust”) of its intent to produce Intertrust confidential information via Federal Express overnight delivery by letter dated August 22, 2014, with the Amended Protective Order attached and a copy of the confidential information Apple Inc. intended to disclose. The Federal Express envelope was delivered to Intertrust on August 25, 2014. Due to a clerical error, the Amended Protective Order originally enclosed contained only odd pages. A second Federal Express envelope was sent to Intertrust via overnight on August 28, 2014 containing a complete copy of the Amended Protective Order; that envelope was delivered on August 29, 2014. Apple has not received a response.

4. **Pragmatus Mobile LLC:** Apple, Inc. notified Pragmatus Mobile LLC (“Pragmatus”) of its intent to produce Pragmatus confidential information via Federal Express overnight delivery by letter dated August 22, 2014, with the Amended Protective Order attached and a copy of the confidential information Apple Inc. intended to disclose. The Federal Express envelope was delivered to Pragmatus on August 25, 2014. Due to a clerical error, the Amended Protective Order originally enclosed contained only odd pages. A second Federal Express envelope was sent to Pragmatus via overnight on August 28, 2014 containing a complete copy of the Amended Protective Order; that envelope was delivered on August 29, 2014. Apple has not received a response.
5. **Rovi Corporation:** Apple, Inc. notified Rovi Corporation (“Rovi”) of its intent to produce Rovi confidential information via Federal Express overnight delivery by letter dated August 22, 2014, with the Amended Protective Order attached and a copy of the confidential information Apple Inc. intended to disclose. The Federal Express envelope was delivered to Rovi on August 25, 2014. Due to a clerical error, the Amended Protective Order originally enclosed contained only odd pages. An electronic copy of the complete Amended Protective Order was emailed to Rovi on August 27, 2014. In addition, a second Federal Express envelope was sent to Rovi via overnight on August 27, 2014 containing a complete copy of the Amended Protective Order; that envelope was delivered to Pragmatus on August 27, 2014. On September 2, 2014 Rovi’s Senior Litigation Director, Lee Goldberg, agreed to the disclosure of document, pursuant to the protective order, with redaction.

Dated: October 2, 2014

/s/ Melissa Smith

Melissa R. Smith
State Bar No. 24001351
GILLAM & SMITH, L.L.P.
303 S. Washington Ave.
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
melissa@gillamsmithlaw.com

Bryan K. Anderson
bkanderson@sidley.com
Nathan Greenblatt
ngreenblatt@sidley.com
SIDLEY AUSTIN LLP
1001 Page Mill Road, Bldg. 1
Palo Alto, CA 94304
650/565-7007
Fax: 650-565-7100

Kelly A. Krellner
kkrellner@sidley.com
SIDLEY AUSTIN LLP
555 California Street, Ste. 2000
San Francisco, CA 94101
415/772-7418
Fax: 415/772-7400

David T. Pritikin
dpritikin@sidley.com
Richard A. Cederoth
rcederoth@sidley.com
SIDLEY AUSTIN LLP
One South Dearborn St.
Chicago, IL 60603
312/853-7359
Fax: 312/853-7036

Attorneys for Defendant Apple Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic services on October 2, 2014.

/s/ *Melissa Smith*